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Attorneys for Plaintiff  
RITAROSE CAPILI

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

RITAROSE CAPILI,

Plaintiff,

v.

THE FINISH LINE, INC.; CIGNA HEALTH  
CORPORATION; LIFE INSURANCE  
COMPANY OF NORTH AMERICA; AND  
DOES 1-100,

Defendants.

Case No. 3:15-cv-01158-HSG

**AMENDED STIPULATION AND ORDER  
TO CONTINUE CASE MANAGEMENT  
CONFERENCE AND RELATED DATES**

Complaint Filed: February 6, 2015  
Trial Date: None Set  
Judge: Hon. Haywood S. Gilliam, Jr.

Pursuant to Local Rule 6-2 Plaintiff Ritarose Capili (“Plaintiff”) and Defendants The Finish Line, Inc. (“Finish Line”), Cigna Health Corporation, and Life Insurance Company of North America (collectively, “Defendants”), by and through their respective counsel, hereby stipulate and agree as follows:

WHEREAS the deadline for the FRCP Rule 26 Report and Case Management Statement to be filed is June 2, 2015;

WHEREAS the Initial Case Management Conference in this action is currently scheduled for June 9, 2015;

WHEREAS on May 15, 2015, Finish Line filed a Motion to Compel Entire Action to Binding Arbitration and requested to stay proceedings pending arbitration;

WHEREAS, in the interest of judicial economy, and to allow for a ruling on Finish Line’s pending Motion to Compel Entire Action to Binding Arbitration, the parties jointly request that the Court continue the Case Management Conference to a date that is convenient for the Court, but no sooner than four (4) weeks after the Court rules on the pending motion.

WHEREAS, the parties jointly request that the Court order that the Joint Case Management Statement be filed no later than five (5) court days before the scheduled Case Management Conference.

NOW THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE AS FOLLOWS:

1. The Case Management Conference shall be scheduled on a date that is convenient for the Court no sooner than four (4) weeks after the Court rules on the pending Finish Line Motion to Compel Entire Action to Binding Arbitration.

2. The JOINT Case Management Statement shall be filed no later than five (5) court days before the scheduled Case Management Conference.

1 DATED: May 21, 2015

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

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5 By: /s/ Thomas M. McInerney  
THOMAS M. MCINERNEY  
BROOKE S. PURCELL

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7 Attorneys for Defendant  
THE FINISH LINE, INC.

8 DATED: May 21 2015

LITTLER MENDELSON, P.C.

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11 By: /s/ Dennis M. Brown  
DENNIS M. BROWN  
ANNE SWEENEY JORDAN

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13 Attorneys for Defendants  
CIGNA HEALTH CORPORATION;  
14 LIFE INSURANCE COMPANY OF NORTH  
15 AMERICA

16 DATED: May 21, 2015

LAW OFFICES OF ALLAN A. VILLANUEVA

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19 By: /s/ Allan A. Villanueva  
ALLAN A. VILLALNUEVA

20 Attorneys for Plaintiff  
RITAROSE CAPILI

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22 **SIGNATURE ATTESTATION**

23 Pursuant to Civil Local Rule 5-1(i)(3), I attest that the concurrence in the filing of this  
24 document has been obtained from the other signatories.

25 DATED: May 22, 2015

26 By: /s/ Thomas M. McInerney  
Thomas M. McInerney

**ORDER**

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED. The currently set Case Management Conference is hereby vacated to be reset after a ruling on the pending Motion to Compel Entire Action to Binding Arbitration is issued.

DATED: May 27, 2015

  
HONORABLE HAYWOOD S. GILLIAM

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